

MELINDA HAAG (CABN 132612)
United States Attorney

THOMAS MOORE (ALBN 4305-O78T)
Chief, Tax Division

THOMAS M. NEWMAN (NYSBN 4256178)
Assistant United States Attorney
11th Floor Federal Building
450 Golden Gate Avenue, Box 36055
San Francisco, CA 94102
Telephone: (415) 436-6888
Fax: (415) 436-7009

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ERG AEROSPACE CORPORATION,)	CASE NO. 13-2973 VC
)	
Plaintiff,)	STIPULATION AND proposed ORDER
)	TO CONTINUE CASE MANAGEMENT
v.)	CONFERENCE
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
UNITED STATES OF AMERICA,)	
)	
Counterclaim-Plaintiff,)	
)	
v.)	
)	
ERG AEROSPACE CORPORATION,)	
ENERGY RESEARCH & GENERATION,)	
INC., individually, and d/b/a ERG)	
MATERIALS & AEROSPACE CORP.,)	
)	
)	
Counterclaim-Defendants.)	
)	

The parties, through their undersigned counsel, stipulate as follows:

1. There is a case management conference scheduled for April 14, 2015. The parties stipulate to continue the case management conference until July 28, 2015, at 11 a.m. for two reasons.

2. First, defendant's counsel was previously available on April 14, 2015, when this hearing was set. However, the date of a hearing in an unrelated bankruptcy matter was advanced, which requires defendant's counsel's attendance at a hearing in San Jose on April 14, 2015.
3. Second, the parties recently filed a stipulated judgment in this case resolving the amount of tax owed by Energy Research & Generation, Inc. The parties are working on a stipulated injunction and addressing the remaining issue in the respective complaints.
4. The parties expect to resolve the remaining issues in this case before the next status conference and request a continuance on that basis.

DATED: April 6, 2015

Respectfully submitted,

MELINDA HAAG
United States Attorney

/s/
THOMAS M. NEWMAN
Assistant United States Attorney
Tax Division

/s/
JEFFREY SETNESS
Attorney for Plaintiff

ORDER

PURSUANT TO THE PARTIES' STIPULATION IT IS ORDERED that the case management conference is continued to July 28, 2015.

IT IS SO ORDERED.

DATED: April 8, 2015

THE HONORABLE
United States District Judge

